

EPA Region III

Office of Public Affairs

EARLY BIRD HEADLINES

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*** MORNING HOT LIST ***

Rex Energy to stop supplying water to Butler County homes

PITTSBURGH TRIBUNE REVIEW Janet and Fred McIntyre stopped showering in their Butler County home last summer when they broke out in severe rashes. The water turned purple at one point, Janet McIntyre of Connoquenessing Township said on Thursday, and foamed a couple of other times. Now, the family uses its well water only to flush toilets, showering in the homes of family members. The McIntyres rinse dishes, brush their teeth and perform other daily tasks using 20 gallons of bottled water supplied by Rex Energy, which has several Marcellus shale wells in the area. "This gets to be so frustrating when we can't use the water," McIntyre said. The company told the couple and residents in about 10 other homes on Wednesday that it will stop supplying them with water. Rex Energy said any time it receives a water complaint from someone near one of its drilling sites, the company immediately provides an alternate supply while it conducts testing to show where the problem might originate. Tests, according to a report the company released, showed "no notable differences in water chemistry" before drilling started more than two years ago and since the complaints began. The state Department of Environmental Protection said yesterday that 10 property owners in western Connoquenessing, a township of about 4,100 people, filed complaints, many alleging the problems are tied to Marcellus shale drilling from Rex Energy and other drillers in the area. Complaints ranged from discolored and foul-smelling water to low pressure. Of the complaints, DEP spokesman John Poister said the agency closed nine, including one from the McIntyres. Another is pending from a property owner whose well was full of mud and contained high iron and manganese levels. "We've been spending a lot of time up there," Poister said. "We're very sensitive to those people's complaints, but right now, based on the tests ... there's no indication we can see that this is coming from drilling."

EPA critical of Va. Bay plan

STAUNTON NEWS LEADER (Va.) When Virginia submitted its draft plan for the next phase of the Chesapeake Bay cleanup to the Environmental Protection Agency in December, the state Department of Conservation and Recreation felt pretty confident. "We've worked with and communicated with the EPA through the whole process," said DCR spokesman Gary Waugh. After the EPA released its assessment of the draft plan last week, it doesn't look like the EPA shares the state's confidence. Virginia's plan "lacks important detail" and "did not address EPA comments on stormwater," the assessment said. The EPA assessment lambasted the state for not submitting "input decks," formulas that show which practices the state will utilize to meet the mandated reductions in nitrogen, phosphorous and sediment polluting bay tributaries. "We have some concerns with how some of these (pollution reduction) practices are coming across in the model" the EPA uses to estimate the state's pollution contributions, Waugh said. "That's one of the reasons, I wouldn't say it's the only reason, we didn't

submit input decks." Of the three sources of pollution most heavily targeted for reductions — agriculture, stormwater runoff and wastewater treatment plants — the state's municipal stormwater regulations were most criticized. "EPA does question Virginia's ability to fulfill its stormwater commitments given the continued backlog of expired (municipal stormwater) permits," the assessment notes, adding that "because Virginia has not addressed concerns with stormwater strategies the EPA identified ... EPA will maintain enhanced oversight of this sector." The assessment promises "ongoing oversight of Virginia's agriculture, wastewater, and offset and trading programs" as well. The EPA requested Virginia submit detailed plans for reductions on a local level as well as data ahead of the March 30 deadline to submit the final plan.

In-house power plants foul the air, study says

PITTSBURGH POST GAZETTE Some small industrial power plants, which provide heat and electricity to refineries, chemical plants, steel mills and other major manufacturing facilities, pollute the air in Pennsylvania and across the U.S., according to a new study by Earthjustice. The study said that while just 1,753 of the nation's 14,000 industrial power plants will be required to install controls to meet new federal standards, those facilities produce unhealthy amounts of mercury, lead, chromium and airborne particle pollution. Regulating them will prevent 8,100 premature deaths a year, according to the U.S. Environmental Protection Agency. The estimated cost to industry to buy, install and maintain the pollution controls is \$1.5 billion a year, while the health care savings are estimated at between \$27 billion and \$67 billion annually. Dr. Walter Tsou, a Philadelphia physician who is past president of the American Public Health Association, said industrial power plant emissions are particularly lethal because they contain known toxins and "are escaping any regulation." Earthjustice, a California-based environmental advocacy organization, released the study today to highlight the air quality impacts of the small power plants, also known as industrial boilers, but also to call attention to repeated congressional efforts, pushed by industry lobbyists, to delay implementation of pollution controls now scheduled for 2015. In the Pittsburgh region, controls will be needed at industrial boilers in U.S. Steel Corp.'s Edgar Thomson Works in Braddock, its Clairton Coke Works in Clairton and its Irvin Plant in West Mifflin; the Eastman Chemical Resins Inc. facility in West Elizabeth; and the Horsehead Corp. plant in Monaca, Beaver County. U.S. Steel said it was reviewing the report.

New 'FrackNation' film challenges 'Gasland' science in fracking debate

ITHACA JOURNAL (NY) Ithaca -- Two documentary filmmakers are making a response to the popular anti-fracking film "Gasland." Documentary filmmaker Phelim McAleer, whose resume includes "Mine Your Own Business" and "Not Evil Just Wrong," said the inspiration for his newest film, "FrackNation," came from a meeting he had with "Gasland" director Josh Fox. McAleer said he met Fox at a screening of "Gasland" in Chicago and became skeptical when talking with Fox about the famous clip in which a man lights his tap water on fire. Residents in areas affected by methane in their tap water have reported being able to light their water since long before hydraulic fracturing came to the area, McAleer said. McAleer said Fox said those reports are irrelevant to the story about fracking. McAleer still had his doubts. After six weeks of filming in southern New York and northern Pennsylvania, McAleer said he and his co-director, Ann McElhinney, think they have found a few holes in the anti-fracking narrative. "I have come to the conclusion that the film people are exaggerating," McAleer said. "The fact that people have had gas in their water for decades -- people need to know their water will not go on fire because of fracking." Representatives of the "Gasland" project were unavailable for comment Thursday afternoon. In making the film, McAleer said, he has met many people, even in the "ground zero" of fracking, Dimock, Pa., who don't agree with claims the horizontal drilling process has ruined their water and land. "There were farmers saying to me, we have lived here for five generations, and we want our children to live here for five generations more," he said. "Why would we let anything harm our water? No water, no farm." Speaking at a Conservative Political Action Conference this month, McElhinney said fracking is "an extraordinary moment for America. This is a miracle that has happened to you."

Drilling feeds Washington County's development boom

PITTSBURGH TRIBUNE REVIEW Washington County commissioners and business owners coined a term for Western Pennsylvania's Marcellus shale epicenter: "Job Land." "We are the model all of Southwestern Pennsylvania is trying to emulate," Commissioner Larry Maggi told elected officials and business leaders gathered at Southpointe on Thursday. Development, spurred largely by the expansion of the natural gas industry, has put Washington County in prime position to invest in the region's continued growth, officials said. The U.S. Department of Labor's Bureau of Labor Statistics ranked the county as third in the nation in percentage of employment growth for its jump of 4.3 percent over the past year. During that time, 45 new or expanded business projects accounted for more than \$198 million in capital investment in the county, commissioners said. Nearly half of those projects are related to the Marcellus shale-gas industry. The county has the third-most wells in the state, behind Tioga and Bradford counties, according to the state Department of Environmental Protection. In 2011, companies drilled 160 wells in Washington County and obtained 241... State officials estimate that the fee will raise \$180.5 million statewide this year from wells drilled in 2011 or earlier and that collections statewide will rise to \$355 million by 2015. Washington County's shale wells stand to bring in \$23.4 million in fees. The county and its municipalities would divide up 60 percent of that and forward the rest to the state. Expanding the water and sewage system and repairing roadways are the biggest needs, commissioners said.

Proposed settlement reached in Monsanto dioxin case

CHARLESTON GAZETTE WINFIELD, W.Va. -- A proposed settlement has been reached in a huge class-action lawsuit where Nitro residents say the chemical giant Monsanto unsafely burned dioxin wastes and spread contaminated soot and dust across Nitro, polluting homes with unsafe levels of the chemical. In a hearing Thursday in Putnam Circuit Court, Judge Derek Swope raised several questions about the proposed agreement and how residents would be notified of it. For more than 50 years, the former Monsanto plant churned out herbicides, rubber products and other chemicals. The plant's production of Agent Orange created dioxin as a toxic chemical byproduct. The residents' lawsuit, filed in 2004, seeks medical monitoring for at least 5,000 -- and perhaps as many as 80,000 -- current and former Nitro residents. Swope has scheduled a hearing at 1:30 p.m. on Friday to further discuss the proposed agreement. Before an agreement in a class-action lawsuit is finalized, the members of the class must be notified of the proposed settlement and given a chance to object to its terms. On Thursday, Swope said he had a problem with the man Monsanto suggested to administer the medical monitoring program. The man is a former defense expert for the company, Swope said. He suggested the same person who is overseeing the medical monitoring program for a Harrison County case, in which residents of the town of Spelter said a DuPont smelter exposed them to toxic materials.

PENNSYLVANIA

PHILADELPHIA INQUIRER

SEPTA critical of fed's transportation plan A new federal transportation funding plan could cripple SEPTA's ability to buy vehicles or rebuild stations, general manager Joseph Casey said Wednesday. Casey joined executives from the nation's largest transit agencies to oppose the funding bill being pushed by Republican leaders in the House because the bill eliminates dedicated funds for mass transit and gives it to highway projects. "It would be devastating to Philadelphia," Casey said. Currently, 2.86 cents of the 18.4 cents-per-gallon federal gas tax goes to buses, subways, and commuter rail lines. Eliminating that dedicated source of funds and replacing it with a one-time transfer of funds, as the GOP plan proposes, would leave transit programs vulnerable in future budget fights as Congress looks to reduce overall spending.

Red knot shorebird has been designated an endangered ... The red knot, a small shorebird whose 10,000-mile

migration brings it to Delaware Bay each spring, has been designated an endangered species in New Jersey, the state Department of Environmental Protection announced Thursday. Wildlife officials said that the new status, a change from threatened, did not add protections. However, it is formal recognition that despite years of efforts to help the bird, its numbers continue to decline. The red knot population on the bay is about 15,000, down from nearly 100,000 two decades ago. The change was one of several revisions and additions adopted by the DEP. Put on the endangered list were two other birds - the black rail and golden-winged warbler - as well as the gray petaltail, which is a species of dragonfly, and Indiana bat. Six dragonfly species and three birds - the American kestrel, cattle egret, and horned lark - were added to the state's threatened list. Species upgraded because their status has improved include the bald eagle, osprey, peregrine falcon, red-shouldered hawk, northern goshawk, short-eared owl, vesper sparrow, and Cooper's hawk. "We have many positive takeaways from this most recent update to the lists, but we are also reminded that much work still lies ahead of us," said DEP Commissioner Bob Martin.

Ultimate recycling: Artificial joints after cremation The funeral director was discussing cremation with the bereaved family. When she told them that their father's artificial joint would be removed from the ashes and sent to a facility where the metal would be recycled, the mood brightened. "Dad was all about recycling," the mourners told Maryeileen Appio, manager of the Kirk & Nice funeral home in Plymouth Meeting. Appio recalled their saying, "He'd be thrilled that one of the last things he could do was have some parts recycled." Across the nation, more cremation facilities are doing just that, largely because of a confluence of trends - more people dying with artificial joints, more people being cremated, and the green ethic saturating society.

PHILADELPHIA DAILY NEWS

Powder mailed to Toomey's office found to be harmless A SUSPICIOUS white, powdery substance delivered in the mail yesterday to the office of U.S. Sen. Pat Toomey, R-Pa., in a Center City skyscraper - sparking a homeland security and hazmat scare - turned out to be cornstarch, police said. An intern opened a letter containing the powder in Toomey's office, on the 17th floor of 8 Penn Center, said Officer Tanya Little, a police spokeswoman. Department of Homeland Security, fire and hazmat officials were on the scene at 17th Street and JFK Boulevard to investigate about 3 p.m. About an hour later, they determined that the substance was harmless, Little said. The offices of several other members of Congress, including House Speaker John Boehner, R-Ohio, started receiving letters with a white powdery substance on Tuesday. The substance in all incidents so far has proved to be harmless. "Although all letters received thus far have proved harmless," Senate Sergeant-at-Arms Terrance Gainer said Wednesday in a memo to Senate offices, "it is essential that we treat every piece of suspicious mail as if it may, in fact, be harmful."

PITTSBURGH POST-GAZETTE

In-house power plants foul the air, study says Some small industrial power plants, which provide heat and electricity to refineries, chemical plants, steel mills and other major manufacturing facilities, pollute the air in Pennsylvania and across the U.S., according to a new study by Earthjustice. The study said that while just 1,753 of the nation's 14,000 industrial power plants will be required to install controls to meet new federal standards, those facilities produce unhealthy amounts of mercury, lead, chromium and airborne particle pollution. Regulating them will prevent 8,100 premature deaths a year, according to the U.S. Environmental Protection Agency. The estimated cost to industry to buy, install and maintain the pollution controls is \$1.5 billion a year, while the health care savings are estimated at between \$27 billion and \$67 billion annually. Dr. Walter Tsou, a Philadelphia physician who is past president of the American Public Health Association, said industrial power plant emissions are particularly lethal because they contain known toxins and "are escaping any regulation." Earthjustice, a California-based environmental advocacy organization, released the study today to highlight the air quality impacts of the small power plants, also known as industrial boilers, but also to call attention to repeated congressional efforts, pushed by industry lobbyists, to delay implementation of pollution controls now scheduled for 2015. In the Pittsburgh region, controls will be needed at industrial boilers in U.S. Steel Corp.'s Edgar Thomson Works in Braddock, its Clairton Coke Works in Clairton and its Irvin Plant in West Mifflin; the Eastman Chemical Resins Inc. facility in West Elizabeth; and the Horsehead Corp. plant in Monaca, Beaver County. U.S. Steel said it was

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PITTSBURGH TRIBUNE REVIEW

Rex Energy to stop supplying water to Butler County homes Janet and Fred McIntyre stopped showering in their Butler County home last summer when they broke out in severe rashes. The water turned purple at one point, Janet McIntyre of Connoquenessing Township said on Thursday, and foamed a couple of other times. Now, the family uses its well water only to flush toilets, showering in the homes of family members. The McIntyres rinse dishes, brush their teeth and perform other daily tasks using 20 gallons of bottled water supplied by Rex Energy, which has several Marcellus shale wells in the area. "This gets to be so frustrating when we can't use the water," McIntyre said. The company told the couple and residents in about 10 other homes on Wednesday that it will stop supplying them with water. Rex Energy said any time it receives a water complaint from someone near one of its drilling sites, the company immediately provides an alternate supply while it conducts testing to show where the problem might originate. Tests, according to a report the company released, showed "no notable differences in water chemistry" before drilling started more than two years ago and since the complaints began. The state Department of Environmental Protection said yesterday that 10 property owners in western Connoquenessing, a township of about 4,100 people, filed complaints, many alleging the problems are tied to Marcellus shale drilling from Rex Energy and other drillers in the area. Complaints ranged from discolored and foul-smelling water to low pressure. Of the complaints, DEP spokesman John Poister said the agency closed nine, including one from the McIntyres. Another is pending from a property owner whose well was full of mud and contained high iron and manganese levels. "We've been spending a lot of time up there," Poister said. "We're very sensitive to those people's complaints, but right now, based on the tests ... there's no indication we can see that this is coming from drilling."

Range Resources' Ray Walker named Engineer of the Year Marcellus Shale Coalition co-founder Ray N. Walker Jr. was named Engineer of the Year by the Engineers Society of Western Pennsylvania, which also honored other professionals and projects. Walker received his award at the society's 128th annual banquet on Wednesday night for his work in Marcellus shale natural gas development. He is senior vice president and chief operating officer at Range Resources Corp., which has a regional headquarters in Cecil, and he led the company's work to drill the first Marcellus shale gas well about eight years ago. Walker was the Marcellus coalition's first chairman.

Drilling feeds Washington County's development boom Washington County commissioners and business owners coined a term for Western Pennsylvania's Marcellus shale epicenter: "Job Land." "We are the model all of Southwestern Pennsylvania is trying to emulate," Commissioner Larry Maggi told elected officials and business leaders gathered at Southpointe on Thursday. Development, spurred largely by the expansion of the natural gas industry, has put Washington County in prime position to invest in the region's continued growth, officials said. The U.S. Department of Labor's Bureau of Labor Statistics ranked the county as third in the nation in percentage of employment growth for its jump of 4.3 percent over the past year. During that time, 45 new or expanded business projects accounted for more than \$198 million in capital investment in the county, commissioners said. Nearly half of those projects are related to the Marcellus shale-gas industry. The county has the third-most wells in the state, behind Tioga and Bradford counties, according to the state Department of Environmental Protection. In 2011, companies drilled 160 wells in Washington County and obtained 241... State officials estimate that the fee will raise \$180.5 million statewide this year from wells drilled in 2011 or earlier and that collections statewide will rise to \$355 million by 2015. Washington County's shale wells stand to bring in \$23.4 million in fees. The county and its municipalities would divide up 60 percent of that and forward the rest to the state. Expanding the water and sewage system and repairing roadways are the biggest needs, commissioners said.

Mild weather causes officials to worry about unused salt storage While this mild winter has been a blessing to local public-works budgets, there's a curse on its way by the end of spring - an overload of road salt with nowhere to store it. Local officials are trying to figure out where they're going to store the road salt their contracts require them to buy by summer. "This is going to catch a lot of communities off guard," said Bob Bell, director of public works for Murrysburg. "We only have until summertime to use this stuff." Under the seasonal contracts that Delmont,

Export and Murrysville have with American Rock Salt, each community sets an amount of salt officials anticipate using that winter. Each community is required to buy 60 percent of that amount and can buy an additional 20 percent, if necessary, at the negotiated price. In Murrysville, the largest of the three municipalities, officials must buy at least 3,000 tons of salt. So far this winter, Murrysville has bought about 2,000 tons of salt - and still has plenty on hand. Bell said he can store about 3,000 tons at the public works building. Not everyone is so lucky. In Export, officials last week discussed selling some excess salt to Murrysville, or asking if the borough could store some salt at the Murrysville public works facility. So far, Export public works director Lou McQuaide said he has ordered about 88 of the up to 150 tons of salt the borough's contract calls for. The borough can store between 60 and 80 tons. "We have no excuse for icy streets this winter, that's for sure," McQuaide said. Bell said Monday he hadn't heard from Export officials, but, basically, there's no room at the inn in Murrysville.

Commentary: Communities can finally cash in on Marcellus shale It was, in effect, the classic good news/bad news scenario. The good news for local governments in Pennsylvania after Gov. Tom Corbett signed new Marcellus shale legislation into law last week is that they soon will have an opportunity to reap direct financial benefits from Marcellus shale drilling. The bad news is that their ability to regulate where and how that drilling takes place could be limited. We hope that ends up being a trade-off they — and we — can live with, at least for the time being. Officials in Pennsylvania counties where drilling occurs have 60 days to decide whether to impose the 15-year impact fees permitted under the bill passed by the legislature earlier this month and signed by Corbett last week. Those that do will share 60 percent of the revenue with individual municipalities. That money can be used to repair damage to roads, bridges and other infrastructure caused by drilling operations.

Fawn residents want gas well law amended With House Bill 1950 soon to become law, many who are concerned about the effects of Marcellus shale natural gas drilling want to see the law tweaked. More than 70 residents jammed a small Sunday School room at Center United Methodist Church on Thursday night to express concern -- and, in some cases, outrage -- about the new state law that sets impact fees for drillers but virtually does away with local municipal restrictions on drilling sites. State Rep. Frank Dermody, D-Oakmont, answered questions and entertained comments on the law, set to go into effect in less than two months. Dermody, who was one of four local House members to vote against the bill, urged residents to demand that state lawmakers and Gov. Tom Corbett make changes in the law. Some concerns deal with dangerous chemicals used in the fracking operation to find natural gas as far as 9,000 feet below the surface and to increase setbacks from homes and sites where private drinking wells exist. "The local legislators and the governor need to be contacted; it can be done," Dermody said of the possibility of future legislation addressing the issues of concern. Dermody expressed surprise that the legislation passed by only a 101-90 margin -- only two votes more than needed. Several Republican legislators, such as Eli Evankovich of Murrysville and Daryl Metcalfe of Cranberry, defected from fellow party members on the legislation that had been pushed hard by the Corbett administration. No future meetings of the group Fawn Against Marcellus, organized by township resident Carrie White, have been planned, but White indicated another get-together could be held soon. "It seems like we had a lot of enthusiasm," White said. "We had to add extra chairs, so that's always good."

MURRAYSVILLE STAR

Shale task force to advise on Murrysville's next step After a year's respite, Murrysville's Marcellus shale task force will reconvene. Municipal officials have asked members of the task force to help Murrysville Council decide how to proceed with the municipal drilling ordinance that was approved last fall. Earlier this month, Gov. Tom Corbett signed legislation into law that supersedes the municipal ordinance. "I think it's fair to say the (state regulations) are deficient of technical rights for zoners," said chief administrator Jim Morrison, who helped develop the municipal regulations. "I do think our ordinance is pretty damn close to what the state came up with."

ALLENTOWN MORNING CALL

Gov. Corbett Signs Pipeline Safety Bill. Before signature, PA was one of only two states to not have the law. HARRISBURG _ Gov. Tom Corbett gave his ceremonial signature Thursday to a new that proponents say

will give the state increased oversight of the miles of natural gas pipeline snaking across Pennsylvania and through the booming Marcellus shale region.

"The energy sector in PA is going to continue to grow, And I've oftentimes said that energy equals jobs and that's something we really need to develop. I'm looking forward to seeing those jobs grow here in Pennsylvania," Corbett said at a Capitol news conference. "But we need to do it responsibly -- with public safety, health and with the environment forefront in our minds"

The legislation, which Corbett actually signed into law in December, gives the Pennsylvania Public Utility Commission the authority to inspect and enforce safety standards for nearly all the natural gas pipelines in the state. Until now, it shared inspection and enforcement power with federal officials.

HARRISBURGH PATRIOT NEWS

Commentary: Eminent domain? It's an imminent problem for Pennsylvania“Eminent domain” is probably the most-feared phrase that a property owner can hear — besides, of course, foreclosure. But what is eminent domain? It’s also known as a “taking” because eminent domain is the governmental power to take private property. The U.S. Constitution limits the takings power in the Fifth Amendment: “Nor shall private property be taken for public use, without just compensation.” Here’s the problem: “Public use” hasn’t meant use for a long time. As far back as 1896, the Supreme Court ruled that public use doesn’t mean that the public can use the property after it’s been taken by eminent domain. Fast-forward to 2005 when the Supreme Court ruled that economic development met the public use requirement of the Constitution in the “Kelo case.” This was the landmark case in which the city of New London, Conn., used eminent domain, in part, to construct a research facility for Pfizer after it came out with Viagra. For all of the opportunities (and potential problems) that Marcellus Shale brings to Pennsylvania residents, eminent domain is being overlooked. It’s an imminent problem for property owners in the Keystone State.

Presently, much of the focus is on laying pipes to transport the shale gas across the state and beyond. Last month, a story surfaced up in Laporte (100 miles north of Harrisburg) about a pipeline operator using eminent domain to gain access, or easement, to 150 properties in Bradford, Lycoming and Sullivan counties. In Pennsylvania, Title 26 of the state code allows public utility companies to use eminent domain. Public utility companies can then delegate the takings power to pipeline operators. Yes, you read that correctly: Private pipeline operators can be granted the governmental power of eminent domain. This is just the beginning of a slippery slope. Once those two magic words, “eminent domain,” are said, everyone’s hands are tied. The entity initiating takings proceedings, the pipeline operator, must pay just compensation. Just compensation is based on the market value of the property.

WILKES-BARRE TIMES LEADER

Toomey raps overregulation HAZLETON – Michael Leib employs 116 people at his company’s two locations, but he said if it weren’t for government overregulation, he would be hiring more. U.S. Sen. Pat Toomey on Thursday toured Leib’s Hazleton Casting Co. to discuss how government regulation is affecting small businesses. Toomey said came away with a clearer picture of how red tape really holds back small-business growth. “No question, overregulation hinders growth,” Toomey said. “And (the Obama) administration has come up with more regulations than we’ve ever seen before.” Toomey toured the full-service foundry for ferrous and special alloys that pours materials needed for machine parts. Leib has another location in Weatherly. “Too many regulations are costing us jobs, growth and money,” he said. “This was a fascinating tour; these are good-paying jobs, and this is a good industry.” Toomey praised Leib and his operation, noting the company has found a way to grow and to sell its products overseas. The freshman senator said he came to Hazleton to have a discussion on the effects of overregulation on small businesses. Leib said if current regulations were in effect in 1989 when he was starting out, he would not have been successful. “We’re all for providing a healthy and safe environment, but we need common sense, too,” he said. Leib said he sells mining equipment and pumps to power generation companies and drilling companies. He has sold to companies working in the Marcellus Shale region. “When they first came here, our business really picked up,” Leib said. “But lately it’s kind of leveled off.” Leib said with less regulations, he could hire more people and expand his business. “It’s so complex,” he said of wading through the regulations and filing all required paperwork. Leib began his company with 40 employees and has managed to triple the work force over the years. He said his business has the potential for more growth. Toomey recently launched a public service

campaign called "Had Enough?" to help Pennsylvanians find solutions to government excess and overregulation.

WILLIAMSPORT SUN-GAZETTE

Sewage treatment plant upgrade on pace The Williamsport Municipal Water and Sanitary Authority boards on Wednesday heard updates on the Central Wastewater Treatment Plant upgrade along Interstate 180. Authority customers are supporting the bulk of the costs associated with the \$100 million project, which is about at a halfway point. Customers saw a 25-percent increase in January in their sewer bills and a 3-percent increase in water bills, according to Douglas Keith, authority executive director. The project is the "major portion of the more than \$120 million in projects the sanitary authority has under way to meet federal Environmental Protection Agency and state Department of Environmental Protection Agency requirements for Chesapeake Bay and wet weather compliance standards," according to Walter A. Nicholson, director of operations for the sanitary authority. Progress of the compliance-related projects is on scheduled for completion late next year, with some additional upgrades scheduled for 2014, he added. Asked about a more specific timeline for completion, an engineer with Malcolm Pirnie said the Central plant's headworks should be operational in August. The headworks are the first preliminary treatment of wastewater, he said. The headworks collect materials in the water and there is a screening process that catches sediment such as sand and grit, the engineer said.

STATE COLLEGE CENTRE DAILY TIMES

Philipsburg water company lowers fluoride levels Pennsylvania American Water, a private company providing water to the Philipsburg area, has lowered the amount of fluoride in its water at the request made Wednesday by the U.S. Department of Health and Human Services and the U.S. Environmental Protection Agency. HHS is proposing that the recommended level of fluoride in drinking water can be set at the lowest end of the current optimal range to prevent tooth decay, and EPA is initiating a review of the maximum amount of fluoride allowed in drinking water. HHS and EPA reached an understanding of the latest science on fluoride and its effect on tooth decay prevention, and the development of dental fluorosis that may occur with excess fluoride consumption during the tooth forming years, age 8 and younger. Dental fluorosis in the United States appears mostly in the very mild or mild form – as barely visible lacy white markings or spots on the enamel. The severe form of dental fluorosis, with staining and pitting of the tooth surface, is rare in the United States. HHS' proposed recommendation of 0.7 milligrams of fluoride per liter of water replaces the current recommended range of 0.7 to 1.2 milligrams.

ERIE TIMES-NEWS

Lake Erie advocates call Asian carp strategy 'good start,' say more needed Tom Fuhrman believes Asian carp could thrive in Lake Erie. And that's not good. In fact, it would be bad for the lake's native fish and the people who earn their living from fishing and lake-related tourism. "We stand to lose a lot if they get in here because they will devastate the food chain," said Fuhrman, president of the Lake Erie Region Conservancy. He was pleased with plans by the Obama administration to spend about \$50 million this year to try to keep Asian carp out of Erie and the other Great Lakes. "It's a start," Fuhrman said. "We're going to need more." Ed Kissell, vice president of the S.O.N.S. of Lake Erie fishing advocacy group, said, "It's still not enough." Kissell said studies say that several western Lake Erie tributaries would provide hospitable environments for Asian carp. Those fish would compete with the ones already in the lake. "They are predators in the sense that they consume the same food as the native species of the Great Lakes," Kissell said. Also, the silver variety of Asian carp, which can grow to about 3 feet and 60 pounds, are known to be frightened by boat motors and leap out of the water, potentially hurting boats and people. They can typically jump 10 feet high. Kissell and Fuhrman said it's good to begin looking for Asian carp DNA in Lake Erie water samples, a measure included in the latest federal strategy for combating the carp's expansion. Fuhrman said we'll want to know as soon as possible if the fish reach Lake Erie. Fuhrman expects to be talking more about carp on Tuesday and Wednesday at the Great Lakes Days conference in Washington, D.C. Participants have been invited to the White House on Wednesday, but Fuhrman isn't sure whether they'll hear directly from Obama.

ASSOCIATED PRESS (Pa.)

W. Pa. residents say water ruined, state says no (Wednesday) PITTSBURGH (AP) — At least 10 households in western Pennsylvania fear their drinking water has been ruined by natural gas drilling, but state officials say tests don't show that. Residents say Rex Energy Corp. has sent letters notifying them it will no longer deliver drinking water to the households after Feb. 29. Rex Energy says in a statement that testing found no notable differences in pre and post-drilling water chemistry in Connoquenessing Township, about 35 miles north of Pittsburgh. Department of Environmental Protection spokesman John Poister says the agency hasn't any found evidence that oil or gas drilling caused problems. But resident Janet McIntyre says people in the neighborhood have reported orange water, black water, yellow water and unusual test results over the last year, along with odors and illnesses.

WASHINGTON, D.C.

WASHINGTON POST

Obama: 'No easy fixes' for gas prices CORAL GABLES, Fla. — President Obama said Thursday that there are no “quick fixes” for rising gasoline prices that are threatening the economic recovery and providing fodder for attacks from his political rivals. Gas prices have risen 29 cents per gallon since December, with regular-grade gas now averaging \$3.64 a gallon in the Washington region at a time of year when consumers usually enjoy a respite from price hikes. The high cost at the pump could turn into an election-year mess for the president, whose approval ratings have surged recently as the economy improved. Republicans, sensing an opportunity, have blamed Obama for not giving oil companies greater freedom to drill for new U.S. supplies that might ease prices. The political dynamics are muddled by the Iran factor. In their debate Wednesday, the leading GOP presidential candidates vowed to prevent Iran from acquiring a nuclear weapon. Yet the rise in oil prices recently has been augmented by the tightening of U.S. and European sanctions on Iran and its oil exports.

Federal Diary Column: Administration moves to advance benefits for same-sex partners of federal workers Just as social issues are stealing some of the economy's thunder in the Republican presidential nomination contest, the Obama administration is preparing to finalize regulations that would advance benefits for the same-sex partners of federal employees. The regulations were proposed many months ago, but plans to make them final in this election year could draw distinctions between the approach President Obama and the GOP hopefuls take on social issues in general and those affecting gay men and lesbians in the federal workforce in particular. And faced with a Republican-dominated House, the administration believes it must do what it can through regulation while still advocating related legislation, even when prospects for it are dim in this Congress. “We’ve been working hard on a lot of domestic partner benefits,” Office of Personnel Management Director John Berry said in a recent interview. “We will continue to pursue domestic partner benefit legislation for FEHBP [Federal Employees Health Benefits Program] and retiree benefits as an administration priority.”

Per-person cost of federal high-risk medical plan doubles Medical costs for enrollees in the health-care law's high-risk insurance pools are expected to more than double initial predictions, the Obama administration said Thursday in a report on the new program. The health-care law set aside \$5 billion for a Pre-Existing Condition Insurance Plan, meant to provide health insurance to those who had been declined coverage by private carriers. Since its launch last summer, nearly 50,000 Americans have enrolled in the program. The PCIP program will phase out in 2014, when insurers will be required to accept all applicants regardless of their health-care status. Those who have enrolled in the program are projected to have significantly higher medical costs than the government initially expected. Each participant is expected to average \$28,994 in medical costs in 2012, according to the report, more than double what government-contracted actuaries predicted in November 2010. Then, the analysts expected that the program would cost \$13,026 per enrollee. The costs also are significantly higher than those of similar high-risk pools that many states have operated for decades. States spent an average of \$12,471 on enrollees in 2008, according to the National Association of State Comprehensive Health Insurance Plans.

WTOP-RADIO

Sushi staple helping farmers fight bay pollution EASTON, Md. - The daikon radish, a staple at sushi bars

worldwide, is helping Maryland farmers fight Chesapeake Bay pollution. Some farmers are experimenting this winter with using the radish as a cover crop, which are planted in the fall to absorb excess fertilizer and prevent it from running off into waterways where it can cause oxygen-robbing algae blooms. Wheat is most often planted, but some farmers are experimenting with the slender, white, deep-rooted radish. The radish's roots help break up compacted soil and reduce weeds, and the plants break down even if the radishes are not harvested. That means spring planting can be done without plowing under the cover crop and without weed killers, according to the University of Maryland Cooperative Extension service, which provides technical assistance to farmers. However, the experiment has not been without hiccups. In western Maryland, rotting radishes are being blamed for odors reported by some near the Antietam National Battlefield. Farmers say the radishes are convenient because they can be seeded by air in the fall. Greg Gannon, who farms about 4,500 acres in Talbot County, said he plants cover crops on about 4,000 acres, including about 250 acres of radishes last winter and 600 acres this winter. "Agronomists say they are as good as wheat. They are a little more convenient if you can pay to have them flown on," Gannon told The Star Democrat of Easton. Gannon said winter cold killed off the radishes as planned last winter, but not this winter. John Swaine III, who also farms on the Eastern Shore, said he planted about 50 acres of forage radish last fall. "I tried them," Swaine told the newspaper. "I planted them in September, seeded with an airplane. It went well, they came up and looked good. They are supposed to winter kill, but we haven't had a cold enough winter this year to kill them."

WEST VIRGINIA

CHARLESTON GAZETTE

Proposed settlement reached in Monsanto dioxin case WINFIELD, W.Va. -- A proposed settlement has been reached in a huge class-action lawsuit where Nitro residents say the chemical giant Monsanto unsafely burned dioxin wastes and spread contaminated soot and dust across Nitro, polluting homes with unsafe levels of the chemical. In a hearing Thursday in Putnam Circuit Court, Judge Derek Swope raised several questions about the proposed agreement and how residents would be notified of it. For more than 50 years, the former Monsanto plant churned out herbicides, rubber products and other chemicals. The plant's production of Agent Orange created dioxin as a toxic chemical byproduct. The residents' lawsuit, filed in 2004, seeks medical monitoring for at least 5,000 -- and perhaps as many as 80,000 -- current and former Nitro residents. Swope has scheduled a hearing at 1:30 p.m. on Friday to further discuss the proposed agreement. Before an agreement in a class-action lawsuit is finalized, the members of the class must be notified of the proposed settlement and given a chance to object to its terms. On Thursday, Swope said he had a problem with the man Monsanto suggested to administer the medical monitoring program. The man is a former defense expert for the company, Swope said. He suggested the same person who is overseeing the medical monitoring program for a Harrison County case, in which residents of the town of Spelter said a DuPont smelter exposed them to toxic materials.

State backs up previous Upper Big Branch reports BECKLEY, W.Va. -- State investigators have concluded that poor ventilation, inadequate cleanup of coal dust and a routine failure to fix safety problems led to the April 2010 explosion that killed 29 miners at Massey Energy's Upper Big Branch Mine. The state Office of Miners' Health, Safety and Training generally agreed with three previous reports about how the blast occurred and about safety infractions that led to the worst U.S. coal-mining disaster in nearly 40 years. State investigators said they cited 253 violations and issued personal citations to two Massey mine foremen, whom they allege neglected to ensure explosive coal dust was properly cleaned up in underground tunnels. In a nearly 600-page report being made public this morning, state officials traced the explosion to a small ignition of methane gas in the mined-out "gob" area behind Upper Big Branch's longwall mining machine. The longwall's shearer likely sparked when it hit a piece of sandstone, state officials said. That ignition, the state report said, erupted into a huge blast when it hit accumulations of coal dust that had been allowed to build up without being properly neutralized. But state investigators outlined their findings in a report that was much more mildly worded than previous reviews by an independent team, the United Mine Workers union and the federal Mine Safety and Health Administration. "The

removal of hazards and violations identified during required mine examinations were not corrected in a timely manner," the report said, in perhaps the strongest language it used.

CHARLESTON DAILY MAIL

State reaches pollution settlements The state Department of Environmental Protection recently reached proposed settlement agreements with five companies, a public service district and a community college that allegedly violated environmental laws. The proposed agreements call for monetary penalties ranging from \$4,430 to \$15,110. All of the proposed agreements are posted online at www.dep.wv.gov/pio/Pages/Settlements,Ordersouttopublicnotice.aspx. The department is seeking public comments. The deadline for filing comments varies.

WEST VIRGINIA METRO NEWS

Hoppy's Commentary for Friday --One of the reasons the coal industry is having trouble getting its way on a key element in the coal mine safety bill stems back to the Marcellus Shale legislation during a special session last year. House Speaker Rick Thompson gave ground to Governor Tomblin on the Marcellus bill. Now, on the coal mine safety bill, Thompson insists that the family of a mine accident victim should be able to choose whomever they want to represent them during an investigation. The coal industry wants to block that because it doesn't want a UMW representative involved in the investigation if the accident happened at a non-union mine. Governor Tomblin enjoys significant support from the coal industry, but he also remembers how Thompson gave ground on the Marcellus bill and that's one of the reasons he's acquiescing to Thompson on this issue.

WEST VIRGINIA PUBLIC BROADCASTING

WV mine inspectors set to undergo 'internal investigation' after UBB The West Virginia office of Miners Health Safety and Training issued 253 violations during its investigation into the Upper Big Branch explosion. "It's been a living hell," Clay Mullins explains how life has been since he lost his brother on April 5, 2010 when an explosion ripped through a Raleigh County mine.

"I didn't lose just my biological brother; I lost 28 other brothers there," Mullins said. "One of them was like a son to me, ya know, and I can't ever talk to them again. I can't, I mean, I don't know. It's just bad. I'm sorry. It's just the way it is." Since the explosion Mullins has been vocal about his brother's death. As a former miner, Mullins wants to see changes.

"I'd like to see more laws changed to protect our miners," he said, "because a lot of them is not going to come out and speak against the company or anyone in for fear of their job."

Mine safety bill mired in House While the West Virginia Legislature has already passed two of Gov. Earl Ray Tomblin's major pieces of legislation in the cracker plant and OPEB liability, a third has hit snags.

ASSOCIATED PRESS (W. Va.)

Bill would double tax to clean up mine sites CHARLESTON, W.Va. -- The need to clean up abandoned mines has West Virginia lawmakers proposing a tax hike. State regulators say they're facing a funding shortfall for treating water on these old mine sites. A 14-cent tax on each ton of processed coal now funds reclaiming an abandoned site's land and water. The Senate Finance Committee advanced a bill Thursday to increase that tax to nearly 28 cents per ton. That should increase the tax's annual revenues from \$19 million to around \$36 million. The water treatment fund would get \$20 million per year. Environmental Protection Secretary Randy Huffman told the committee that the additional revenues should keep the water fund solvent until 2034. Huffman recommended the tax hike. West Virginia Coal Association President Bill Raney says the tax hike is needed.

MARYLAND

BALTIMORE SUN

Commentary: Feeding the trees that are saving the bay I am appalled to learn that Maryland has forced the elimination of phosphorus from liquid injector tree fertilizer. It is the phosphorus that is most important to root development. A mature tree will certainly use all the phosphorus injected into the soil with nothing left to harm the Chesapeake Bay. It is this lack of proper root development that has made falling trees, once rare, now a common occurrence. I should not have to quote tree experts on the importance of feeding trees anymore than I should have to quote nutrition experts on the importance of feeding humans. The state needs to take a balanced view and be as concerned about the trees as it is about the bay. It makes no sense to kill the one that is most responsible for saving the other.

O'Malley tweaks offshore wind bill Changes offered to ease business cost fears. Gov. Martin O'Malley appeared before a House committee today to push his bill to spur offshore wind development, while an aide outlined tweaks to the measure to win over manufacturers and other businesses concerned about how much it would increase their electricity bills.

SALISBURY DAILY TIMES

Harris: Hold off on bay effort FRUITLAND — The economy, jobs and culture have tied those living on the Eastern Shore to the Chesapeake Bay for years.

With that connection, people throughout the 1st Congressional District and the mid-Atlantic have taken steps to improve water quality after discovering the effect of nutrients, soil runoff and wastewater treatment plants. As the Eastern Shore's representative to the U.S. government, Andy Harris has introduced legislation to research algal blooms and hypoxia; however, during a town hall Thursday afternoon the first-term congressman said he would like to improve the nation's economy before taking action on the bay. "The first thing we have to do is we have to make sure the economy is good, because if the economy isn't good, we can't afford to clean up the bay," said Harris, who added he doesn't believe jobs are being lost because of the environmental problems within the bay. "We've lost thousands of jobs because we are not competitive with China in manufacturing, because we have a high corporate tax and because we are business-unfriendly in Maryland. That's why we lose jobs in Maryland, not because of dirty water." Erik Fisher, a land use planner with the Chesapeake Bay Foundation and a resident of Wicomico County, said he was at the town hall to ensure Harris hadn't forgotten about the importance of the bay to those throughout his district.

Editorial: Oyster population on the upswing Oysters, it could be argued, are the ultimate touchstones of conditions in the Chesapeake Bay. The bivalves might seem hardy creatures, but decades of overpollution and diseases have hampered their growth and given bay scientists something to fret about. Still, this winter, early reports from watermen hinted that things might have possibly shifted within the oyster ranks, and that oysters were on a rebound. A new state survey released earlier this month supported in great detail what local watermen were seeing: Oysters are definitely healthier and more plentiful, particularly in Tangier Sound. The 2011 Fall Oyster Survey conducted by the Department of Natural Resources shows the highest survival rate for oysters since 1985. The 92 percent survival rate -- the percentage of oysters found alive in a sample -- builds upon last year's strong spatset (number of baby oysters), which was the highest since 1997, according to DNR. New, high spatset was found in high salinity areas, such as the Tangier Sound. The state has monitored the Chesapeake Bay oyster population since 1939, and looks at reproduction levels, disease levels and mortality rates. The most recent study shows more than double the survival rate in 2002, when record disease levels killed off 58 percent of the population. Additionally, scientists at the Cooperative Oxford Laboratory reported that the frequency and intensity of oyster diseases MSX and dermo are low. Although high freshwater flows from heavy rains in the spring and late summer affected oysters above the Bay Bridge, the lower salinities proved to be beneficial to the majority of oysters in the rest of the bay by knocking back disease, according to DNR.

CARROLL COUNTY TIMES

Commissioners ask for grant money for stream assessments The Carroll County Board of Commissioners voted 5-0 to request a \$29,000 grant to hire a contractor to perform a stream corridor assessment of various Carroll watersheds. The money would come from the Chesapeake Bay Trust Watershed Assistance Grant Program. The assessment work is being performed in the Tuckers Branch, Middle Run and the Gillis Falls Watersheds. The watershed assistance grants are designed to support watershed planning efforts and the design of watershed restoration projects in Maryland, according to county staff.

ASSOCIATED PRESS (Md.)

MD senator to hold hearing on water, wastewater infrastructure, Baltimore mayor to participate BALTIMORE — Sen. Ben Cardin says he will hold a hearing on the drinking water and wastewater infrastructure needs of communities nationwide. Baltimore Mayor Stephanie Rawlings-Blake plans to participate in the hearing Tuesday on Capitol Hill. Cardin's office says Jerry Johnson, the general manager of the Washington Suburban Sanitary Commission, and Kathy Horne, the executive director of the Alabama Rural Water Association, will also be part of a panel at the hearing. Cardin says local communities are facing challenges including population growth and aging infrastructure. Cardin notes the Water Council of the U.S. Conference of Mayors estimates local government spending on water and sewer infrastructure over the next 20 years may be triple the amount spent over the past half century. The Maryland Democrat chairs the Senate's Subcommittee on Water and Wildlife.

VIRGINIA

ROANOKE TIMES

Blacksburg Country Club may still be billed for killed fish About 169 endangered fish were killed in a 2007 spill at Blacksburg Country Club. Nearly five years after a chemical spill killed about 10,000 fish in the North Fork of the Roanoke River, the Blacksburg Country Club is still making amends. In a complaint filed this week, the U.S. Fish and Wildlife Service is seeking damages from the country club for the deaths of about 169 Roanoke logperch, a federally endangered species. The logperch, along with other aquatic life, were killed when herbicides being used to treat the country club's golf course accidentally spilled into the river. In July 2007, an employee was mixing three herbicides with water when he briefly walked away from a 150-gallon sprayer that was being filled by a water hose. When he returned, he found the water and chemicals had overflowed onto a concrete pad. In an effort to clean up the mess, workers sprayed the equipment and concrete pad down with water — unaware that a drainage pipe was dumping the mixture directly into the river. Within days, an estimated 10,335 fish were dead in a 1.4-mile stretch of the river, according to a consent order filed in 2009 by the Virginia Department of Environmental Quality. As part of the state enforcement action, the country club agreed to pay about \$10,000 to the DEQ to cover the costs of the fish kill and its investigation. A second fine of \$25,740 was satisfied by the country club making improvements to its pesticide storage areas and other changes at a cost of about \$32,000. The DEQ enforcement action did not cover the endangered logperch, which are the subject of this week's lawsuit. Filed in U.S. District Court in Roanoke, the complaint seeks an unspecified amount of damages.

STAUNTON NEWS LEADER

EPA critical of Va. Bay plan When Virginia submitted its draft plan for the next phase of the Chesapeake Bay cleanup to the Environmental Protection Agency in December, the state Department of Conservation and Recreation felt pretty confident. "We've worked with and communicated with the EPA through the whole process," said DCR spokesman Gary Waugh. After the EPA released its assessment of the draft plan last week, it doesn't look like the EPA shares the state's confidence. Virginia's plan "lacks important detail" and "did not address EPA comments on stormwater," the assessment said. The EPA assessment lambasted the state for not submitting "input

decks," formulas that show which practices the state will utilize to meet the mandated reductions in nitrogen, phosphorous and sediment polluting bay tributaries. "We have some concerns with how some of these (pollution reduction) practices are coming across in the model" the EPA uses to estimate the state's pollution contributions, Waugh said. "That's one of the reasons, I wouldn't say it's the only reason, we didn't submit input decks." Of the three sources of pollution most heavily targeted for reductions — agriculture, stormwater runoff and wastewater treatment plants — the state's municipal stormwater regulations were most criticized. "EPA does question Virginia's ability to fulfill its stormwater commitments given the continued backlog of expired (municipal stormwater) permits," the assessment notes, adding that "because Virginia has not addressed concerns with stormwater strategies the EPA identified ... EPA will maintain enhanced oversight of this sector." The assessment promises "ongoing oversight of Virginia's agriculture, wastewater, and offset and trading programs" as well. The EPA requested Virginia submit detailed plans for reductions on a local level as well as data ahead of the March 30 deadline to submit the final plan.

LYNCHBURG NEWS AND ADVANCE

Bedford County and schools eye long-term energy savings Bedford County government and school officials are partnering on an energy efficiency project with a near \$8 million price tag but should achieve major cost savings in years — and even decades — to come. The energy conservation measures include infrastructure improvements in all public schools and three county buildings, including the courthouse and county administration office on East Main Street in Bedford. NORESKO, an energy company, is in talks with the school system and county regarding a performance contract set for approval in the coming weeks. The total cost of the work under a state-endorsed program is \$7.9 million and the county will soon discuss options for borrowing the money. The estimated annual savings is \$601,000 a year — meaning the payback would come in 13 years — and the county is guaranteed to see the money, officials said. "This is designed to be cash neutral," said Roger D'Alessio, senior account executive for NORESKO. The proposed work includes upgrading lighting and installing sensors to cycle lights off when rooms are unoccupied, installing low-flow toilets and urinals, a new boiler plant at Staunton River High School, new digital controls at Staunton River Middle School, piping insulation, sealing cracks in exterior walls, improving doors, new windows and rooftop unit replacements. Board member Gary Hostutler, who serves on the maintenance committee, said savings would recoup the debt incurred and improvements could ease the strain on future operating budgets in tight economic times. "It's a real win-win," Hostutler said. "It just makes a great deal of sense."

VIRGINIA GAZETTE NEWSPAPERS

State seeking public input on outdoor plan RICHMOND — The Virginia Department of Conservation & Recreation will hold two public meetings March 1 to gather input for the 2013 Virginia Outdoors Plan. Residents are invited to share their ideas for outdoor recreation and land conservation needs, including:

MISCELLANEOUS

ITHACA JOURNAL

New 'FrackNation' film challenges 'Gasland' science in fracking debate Ithaca -- Two documentary filmmakers are making a response to the popular anti-fracking film "Gasland." Documentary filmmaker Phelim McAleer, whose resume includes "Mine Your Own Business" and "Not Evil Just Wrong," said the inspiration for his newest film, "FrackNation," came from a meeting he had with "Gasland" director Josh Fox. McAleer said he met Fox at a screening of "Gasland" in Chicago and became skeptical when talking with Fox about the famous clip in which a man lights his tap water on fire. Residents in areas affected by methane in their tap water have reported being able to light their water since long before hydraulic fracturing came to the area, McAleer said. McAleer said Fox said

those reports are irrelevant to the story about fracking. McAleer still had his doubts. After six weeks of filming in southern New York and northern Pennsylvania, McAleer said he and his co-director, Ann McElhinney, think they have found a few holes in the anti-fracking narrative. "I have come to the conclusion that the film people are exaggerating," McAleer said. "The fact that people have had gas in their water for decades -- people need to know their water will not go on fire because of fracking." Representatives of the "Gasland" project were unavailable for comment Thursday afternoon. In making the film, McAleer said, he has met many people, even in the "ground zero" of fracking, Dimock, Pa., who don't agree with claims the horizontal drilling process has ruined their water and land. "There were farmers saying to me, we have lived here for five generations, and we want our children to live here for five generations more," he said. "Why would we let anything harm our water? No water, no farm." Speaking at a Conservative Political Action Conference this month, McElhinney said fracking is "an extraordinary moment for America. This is a miracle that has happened to you."

GREENWIRE

Rule proposals mark shift in EPA use of toxics law Two proposed rules that the White House has sent back to U.S. EPA for finalizing represent a major shift in how the agency regulates the manufacture and importation of chemicals it suspects of posing health risks. EPA's proposals aim to use the 1976 Toxic Substances Control Act (TSCA) in a novel way: They would require companies to give notice not only if they plan to manufacture certain substances but also if they plan to import products containing those chemicals. The Office of Management and Budget is also reviewing a third proposal. Taken together, the rules mark an effort to close a loophole in chemical regulations, the Environmental Defense Fund's Richard Denison said. In the past, EPA has typically proposed so-called Significant New Use Rules (SNUR) for chemical production and import alone, not for the articles in which the chemicals are found. "The proposals address the concern that a chemical might, for example, be restricted in the U.S., the production of that chemical could be done overseas," Denison said. "While TSCA would restrict the import of the chemicals, it would not restrict the import of an article containing that chemical. The concern is these chemicals may be coming into the U.S. in the form of products." Under TSCA, he added, "this is one of the few ways EPA has to designate chemicals of concern."

W. Va. finds 253 violations in Upper Big Branch disaster West Virginia regulators released a report today identifying 253 rule violations by Massey Energy Co. in connection with the Upper Big Branch blast that killed 29 miners in Raleigh County in April 2010. The Office of Miners' Health, Safety and Training's report is the latest on the worst U.S. coal mining disaster in decades. The regulators found that methane gas likely sparked a blast at an Upper Big Branch mining machine, and excessive dust helped the explosion spread through the mine. Mining companies are required to apply rock dust to neutralize combustible coal dust. The reports have said dust management was among the biggest and most pervasive problems at Upper Big Branch. "The amount of rock dust being maintained on mine surfaces at the time of the explosion was insufficient to stop a coal dust explosion," the report says. "The region where the dust explosion started does not appear to have had rock dust periodically applied over the fine coal dust." The roughly 600-page report says methane gas probably seeped through the mine floor, a known problem at Upper Big Branch. The document says a recent roof fall likely allowed the gas to accumulate.